

# **APPROVED**

## **PLANNING COMMISSION MINUTES**

**February 27, 2008**

### **I. PLEDGE OF ALLEGIANCE**

Chair Williams called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

### **II. ROLL CALL**

Present: Ali-Santosa, Ciardella, Galang, Mandal, Sandhu and Williams  
Absent: Tabladillo  
Staff: Andrade, Bejines, Gilli, Lindsay, Ogaz and Reliford

### **III. PUBLIC FORUM**

Chair Williams invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendize the matter for a future meeting.

There were no speakers from the audience.

### **IV. APPROVAL OF MINUTES February 13, 2008**

Chair Williams called for approval of the minutes of the Planning Commission meeting of February 13, 2008.

There were no changes to the minutes

**Motion** to approve the minutes of February 13, 2008.

M/S: Mandal/Galang

AYES: 5

NOES: 0

ABSTENTIONS: 1 (Sandhu)

### **V. ANNOUNCEMENTS**

Commissioner Ciardella announced that Milpitas Christian school won a future city award for the Bay Area and will be receiving the award in Washington D.C. He requested that staff invite them to make a presentation to the Commission.

Commissioner Galang asked if he could attend the Planners Institute and Mr. Lindsay said staff will make the reservations.

### **VI. CONFLICT OF INTEREST**

City Attorney Mike Ogaz asked if any member of the Commission has any personal or financial conflict of interest related to any of the items on tonight's agenda.

There were no Commissioners who identified a conflict of interest.

**VII.  
APPROVAL OF  
AGENDA**

Chair Williams called for approval of the agenda.

There were no changes to the agenda.

**Motion** to approve the agenda as submitted.

M/S: Sandhu/Mandal

AYES: 6

NOES: 0

**VIII.  
CONSENT CALENDAR**

Chair Williams asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

There were no changes to the consent calendar.

Chair Williams opened the public hearing on item no. 2 under New Business.

There were no speakers from the audience.

**Motion** to close the public hearing.

M/S: Sandhu/Galang

AYES: 6

NOES: 0

**Motion** to approve the consent calendar.

M/S: Sandhu/Galang

AYES: 6

NOES: 0

**\*2 ADMINISTRATIVE PERMIT NO. AD2007-8** *(Continued from August 22, 2007)*: A request to consider the revocation or modification of Use Permit No. UP2004-15 to the City Council for non-compliance with special condition of approval no. 3 that states: "This use shall not use more than seven (7) parking spaces at any time". The operation of the car rental office exceeds the number of parking spaces allocated per the use permit for Avis Rental Car located at 148 West Calaveras Boulevard. *(Recommendation: Note Receipt and File)*

**IX.  
PUBLIC HEARING**

**1. CONDITIONAL USE  
PERMIT NO. UP2007-29**

Judie Gilli, Project Planner, presented a request for modification of the approved conditions of approval to allow a 4' guardrail on the mezzanine level located at 1450 Great Mall Drive. Ms. Gilli recommended the Commission adopt Resolution No. 08-008 for approval.

Commissioner Ciardella asked if the tables and chairs will be fixed to the floor and away from the guardrail and Ms. Gilli said yes.

Commissioner Galang asked what type of business is Bouncearama. Ms. Gilli said it is a children's entertainment center with inflatable play structures.

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Commissioner Galang asked what the purpose of a mezzanine is and Ms. Gilli deferred the question to the applicant.

Commissioner Mandal asked what is the distance from the guardrail to the tables and chairs and Ms. Gilli deferred the question to the applicant.

Chair Williams introduced the applicant and asked them if they could include a description of the railing material.

**Rick Tran, 28998 Jetty Way, Hayward, CA 94545 and Nick Dang 187 Ayer Lane, Milpitas, CA 95035** presented a PowerPoint presentation to the Commission.

Chair Williams opened the public hearing.

There were no speakers from the audience.

**Motion** to close the public hearing.

M/S: Sandhu/Galang

AYES: 6

NOES: 0

Chair Williams and Vice Chair Mandal commended the applicant for their research.

**Motion** to approve Conditional Use Permit No. UP2007-29 and adopt Resolution No. 08-008.

M/S: Sandhu/Galang

AYES: 6

NOES: 0

## **X. ADJOURNMENT**

The meeting was adjourned at 7:23 p.m. to the next regular meeting of March 12, 2008.

Respectfully Submitted,

James Lindsay  
Planning & Neighborhood  
Services Director

The foregoing minutes were approved by the Milpitas Planning Commission as submitted on March 12, 2008.

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Veronica Bejines  
Recording Secretary

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